

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICKEY A. BEAVER,

Plaintiff,

v.

CITY OF FEDERAL WAY, *et al.*,

Defendants.

CASE NO. C05-1938-JPD

ORDER GRANTING PLAINTIFF'S
MOTION TO SEAL AND EX PARTE
MOTION FOR ADDITIONAL FUNDS

Currently before the Court are plaintiff's ex parte motion for additional funds (Dkt. #57) as well as plaintiff's motion to seal the ex parte motion. (Dkt. #56). Having reviewed the motions and the balance of the record, the Court does hereby find and ORDER as follows:

(1) Plaintiff's counsel was appointed by the Court from the Pro Bono Panel for the Representation of Pro Se Litigants in Civil Rights Actions. (Dkt. #46). In accordance with section 3(d) of the Regulations Governing the Prepayment and Reimbursement of Expenses in Cases Assigned to the Western District Pro Bono Panel (as amended, effective March 16, 1990) ("Regulations"), plaintiff's counsel filed an ex parte motion seeking authorization of funds to pay for certain expenses necessitated by this litigation. (Dkt. #57). Counsel also filed a motion to seal the ex parte motion. (Dkt. #56).

The Court finds that disclosure of the substance of the motion for additional funds would not be advisable and therefore GRANTS plaintiff's motion to seal the ex parte motion. (Dkt. #57). The granting of this motion to seal shall not be deemed in any way to curtail or limit the disclosure

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1 requirements related to discovery that are set forth in the Federal Rules of Civil Procedure or the
2 Local Rules.

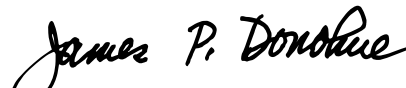
3 (2) Counsel for plaintiff seeks authorization of funds to pay for certain expenses
4 necessitated by this litigation. Counsel requests that the court authorize up to \$4,000 to cover these
5 expenses. The Court has reviewed counsel's declaration in support of the motion, which sets forth
6 the merits of her request and also the basis for her estimate of how much funds are needed. The
7 Court is satisfied that the motion has merit and also that the cost estimate is accurate. Accordingly,
8 plaintiff's ex parte motion for additional funds (Dkt. #57) is GRANTED.

9 The Court is aware of the limitations set forth in the Regulations that appear to restrict
10 payment of expenses to a lesser amount than authorized by this Order. However, the Regulations
11 were issued in 1990 and have never been updated. The Court finds that the funding limitations set
12 forth in the Regulations would not achieve the purpose for which they were intended.

13 Accordingly, upon counsel's submission of the proper request for reimbursement, the Clerk
14 shall reimburse counsel for expenses related to this motion in the amount of no more than \$4,000.
15 Pursuant to section 3(f) of the Regulations, any amount reimbursed by the Clerk shall be repaid to
16 the Court in the event that counsel for plaintiff is awarded fees or costs at the conclusion of this
17 litigation.

18 (3) The Clerk is directed to send copies of this Order to all counsel of record, to Judith
19 H. Ramseyer, Esq., Coordinator of the Pro Bono Panel, and to the Honorable Robert S. Lasnik,
20 Chief United States District Judge.

21 DATED this 27th day of March, 2007.

22 
23 JAMES P. DONOHUE
24 United States Magistrate Judge
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